

COMPLAINT INVESTIGATION SUMMARY

COMPLAINT NUMBER: 1573.00
COMPLAINT INVESTIGATOR: Jane Taylor-Holmes
DATE OF COMPLAINT: May 15, 2000
DATE OF REPORT: June 13, 2000
REQUEST FOR RECONSIDERATION: yes
DATE OF CLOSURE: July 13, 2000

COMPLAINT ISSUES:

Whether the Jay School Corporation violated:

511 IAC 7-6-7 with regard to the school's alleged failure to administer medication to the student in accordance with the physician's prescription.

FINDINGS OF FACT:

1. The Student is 10 years old and was in the fourth grade at the School during the 1999-2000 school year. The Student is eligible for special education and related services as a student with a learning disability ("LD").
2. On September 13, 1999, the School received the Complainant's written permission allowing medication to be administered to the Student. The written permission states, "[Student] has migraine headaches, so if he says he is getting a headache, give him 1 pill, and if headache is not gone in about 1 hour, he may take one more pill." The Student takes an over-the-counter medication for his migraine headaches.
3. The Complainant contends that the School denied the Student his medication for a migraine headache on May 10, 2000.
4. The Director reported that the Student was told on May 8, 2000, that there were three pills left in the bottle. According to the medication log, the Student was given two pills that day; one at 10:00 a.m. and the other at 2:10 p.m.
5. On May 10, 2000, the Student requested a pill. According to the medication log, the pill was given to the Student by the School secretary at 11:00 a.m. This was the Student's last pill, and because it is a parent's responsibility to furnish over-the-counter medications, the empty bottle was then given to the Student according to School procedures. The Student made a second request for a pill 30 minutes after the first pill was given at 11:00 a.m. The second request was made to the office assistant and the Student indicated that he had not had any medication that day.

CONCLUSIONS:

1. Findings of Fact #2, #3, #4, and #5 indicate that the Student was given the empty medication bottle after the last requested pill was administered to him. Further, the Student's request for a second pill was made within 30 minutes of having received the first pill, and outside the scope of the Complainant's written permission. No violation of 511 IAC 7-6-7 occurred.

The Department of Education, Division of Special Education requires no corrective action based on the Findings of Fact and Conclusions listed above.

DATE REPORT COMPLETED: June 12, 2000